



DESCHUTES COUNTY ADMINISTRATIVE POLICY No: RM-1

Effective Date: January 30, 2019

Revised: March 3, 2026 *DRAFT*

DRIVING ON COUNTY BUSINESS AND VEHICLE OPERATION

A. STATEMENT OF POLICY

It is the policy of Deschutes County to ensure that all operators of a vehicle used on official County business are qualified to drive and drive safely. This policy includes County-owned, privately owned, and rented motor vehicles used on County business. The purpose of this policy is to ensure the safety of the public, employees, volunteers and clients by determining that vehicle operators have sufficient knowledge of proper vehicle handling, as evidenced by a safe driving record.

B. APPLICABILITY

The provisions of this policy apply to any employee, elected official, agent, intern, staffing agency worker, or volunteer of the County who may drive a County, personal or rental vehicle on County business. If any provisions of this policy conflict with or differ from the provisions of the vehicle operation standards for sworn law enforcement personnel of the Deschutes County Sheriff's Office standard operating procedures (e.g., "Pursuit Driving,"), then the provisions of the Sheriff's standard operating procedures shall prevail with regards to such sworn law enforcement personnel.

C. POLICY AND PROCEDURE

1. In General

- a. No vehicle, while on County business, shall be operated by an unlicensed or uninsured driver.
- b. Deschutes County employees, Elected Officials, volunteers, or authorized agents of the County who may drive a County vehicle are perceived by the public as on duty while operating such vehicles. Unless they are unmarked vehicles designated for public safety work, most County-owned vehicles either have a County logo or a State-issued license plate beginning with a capital E as identifying marks. It is of high importance that the trust of the public vested in Deschutes County be protected and enhanced by appropriate conduct by any person who is authorized to drive a County vehicle. This includes safe and courteous driving and avoiding the perception of misconduct while using a County vehicle.
- c. County vehicles shall not be used for personal business or activities. Incidental stops (e.g., fueling, restroom stops, lunch breaks, etc.) may be necessary during the course of conducting County business. Such stops should be brief, along the normal route expected of that vehicle, and not account for mileage above that required for the conduct of the authorized County business. Abuse of this provision may be interpreted as misuse of County property.
- d. Because of the safety hazards and as a courtesy to others who use County-owned vehicles, smoking, vaping, and using smokeless tobacco in County-owned vehicles is prohibited. Drivers shall leave vehicles clean for the next user.
- e. Departments may establish policies addressing employee assignment and use of take-home vehicles (departments with appointed departments heads need County Administrator approval). Per IRS regulations, employees assigned a take-home vehicle shall incur a working condition fringe benefit for commuting to and from work, unless exceptions are applicable under IRS regulations. Commuting between the employee's home and official duty station

(personal use) in a County-owned vehicle is valued using one of the approved IRS valuation rules. Please consult IRS Publications 15-B and Publication 5137 and contact the Finance Department/Payroll for additional guidance. Subject employees are required to maintain a log for each one-way or round-trip commute and provide a signed and dated Commute Log form to the Finance Department/Payroll at the end of each pay period. Departments shall notify the Finance Department/Payroll of any employees assigned a take-home vehicle subject to the taxable fringe benefit.

- f. Failure to adhere to the provisions of this policy may result in disciplinary action up to and including termination according to County policy and applicable collective bargaining agreements.

2. Definitions

For the purpose of this policy, unless otherwise specified, the following definitions shall apply:

- a. "County business" means any County sanctioned activity performed within the scope of a driver's assigned duties.
- b. "County vehicle" means a vehicle that is owned, leased, or rented by the County or used by the County through an interagency agreement.
- c. "Driver(s)" means any officer, elected official, agent, employee, intern, or volunteer who is authorized to drive on County business.
- d. "Personal vehicle" means a vehicle that is not owned or maintained by the County. A vehicle that is owned by an elected official, employee, volunteer, intern, or agent.
- e. "Required driving" means an essential job function that requires driving, specified in the job description.
- f. "Required driving position" means a role in which operating a vehicle is integral to performing essential job functions.

3. Candidates

- a. Employment applications for required driving positions will include a statement informing applicants that the employment offer is contingent upon an acceptable and verifiable Driver's license and driving history. The class of license will be appropriate to the vehicle operated during County business. It is the responsibility of the Risk Manager to ensure that all vehicle Drivers have fulfilled the requirements of this policy, including having on file current driver's license information on appropriate Drivers. A Department of Motor Vehicles (DMV) certified court print of the applicant's driving history will be ordered and evaluated by Risk Management for a valid driver's license. The Human Resources Department may contact the candidate if a driving history record is required and was not received through the application process. Candidates, internal or external, who do not provide required documents, will not be considered for employment or promotion for positions that involve driving.
- b. If the candidate is hired for a required driving position, the candidate must have the legal right to operate a motor vehicle in Oregon on the first day of employment. Out-of-state applicants who are hired for a required driving position must obtain an Oregon driver's license no later than 120 days from the first day of employment. Failure to obtain an Oregon driver's license will end authorized driving privileges, which may lead to termination of employment for positions requiring driving responsibilities.
- c. In the event an employee moves from a non-driving position to a required driving position, they must have an acceptable driving record and pass a Driver record check prior to being allowed to drive on County business.

4. Current Drivers

- a. Drivers are personally responsible for all traffic violations while on duty and must report any citations and changes in their driving status—including provisional or revoked statuses—to their supervisor within 72 hours or by the next scheduled workday, whichever comes first. County vehicles shall not be used during non-work times. Traffic offenses that occur in a County vehicle during non-work time may result in the Driver's loss of the County-provided vehicle and disciplinary action following applicable due process procedures.
 1. It is the policy of Deschutes County not to install Ignition Interlocking Devices (IID) on its vehicle. Therefore, for the purposes of this policy, should a Driver with a required driving position have a work permit or hardship license that requires an IID, they must get supervisor approval to use their personal vehicle for County business.
- b. Risk management will monitor Driver privileges through Oregon DMV and report changes in driving status to supervisors. Elected Officials should report the change in driving status or actual loss of license to the County Administrator. If, according to the judgement of the Risk Manager, an individual's driving practices present a risk of liability to the County, Driver's privileges may be limited or withdrawn. Departments with an internal process for monitoring driving records, e.g., Public Safety, CDL Drivers, etc., or that adopt internal processes, shall monitor driving status at the departmental level and report to Risk Management as necessary.

5. Using Personal Vehicles for County Business

- a. Drivers must request approval from their supervisor prior to traveling on County business in a personal vehicle. In cases where prior approval is not received, it shall be the County's position that the travel is of a personal nature and not related to County business. Written "blanket" approval by a supervisor is allowable in those cases where selected Drivers consistently utilize personal vehicles on County business, unless revoked.
 - i. When personal vehicles are used for regular County business, the Driver is responsible for the following:
 1. The vehicle is in good mechanical condition.
 2. The vehicle is insured with state-required minimums under Oregon law.
 3. A current driver's license and insurance information form is on file with Risk Management.
 4. Informing their supervisor and Risk Management of a change in insurance status after the initial proof of insurance is filed.
- b. Risk Management will verify compliance with personal vehicle insurance requirements for those driving personal vehicles on County business. When driving a personal vehicle on County Business, the Driver's personal vehicle insurance shall be primary in all respects with regard to liability, uninsured motorist coverage, and damages of any type or nature (including, without limitation, property damage and bodily injury (including death)) to any person. The County's self-insurance is secondary to, and applies only as excess to, any applicable personal insurance coverage maintained by the Driver and any other available insurance coverage(s).
- c. When using a personal vehicle on County business, Drivers will be subject to all the guidelines set forth in this or any other County policy statement for Drivers of County vehicles. Driving a personal vehicle on County business without the required insurance coverage is grounds for discipline, up to and including termination following applicable due process procedures.

6. Rental Vehicles and Out-of-State Travel

- a. All out-of-state travel requires advance supervisor approval, notwithstanding, short-notice or emergency out-of-state travel by Sheriff's Office or District Attorney's Office personnel for official law enforcement or prosecutorial business, including but not limited to prisoner extradition or witness interviews which may be approved by the Sheriff or District Attorney with notice to the County Administrator and no further approval required.
- b. Risk management approval is needed when traveling out of state and using a rental vehicle for County business. Drivers shall complete the out-of-state travel form and follow the process described on the form to obtain a rental vehicle from the County's contracted rental agency. This ensures the County receives preferred pricing as well as adequate insurance coverage, protecting the County in the event of an accident.
- c. Risk Management has the authority to review personal vehicle use for out-of-state travel on a case-by-case basis. In addition to approval by Risk Management, Drivers must provide proof of \$1,000,000 in general liability or umbrella coverage on their personal vehicle. The Driver can contact their personal insurance carrier and request the coverage for the time period to cover the out-of-state travel. The additional cost for the insurance shall be paid by the Driver.
- d. Rental vehicle Drivers will be subject to the same guidelines set forth in this or any other County policy statement for Drivers of County vehicles.

8. Passengers

- a. It is generally the policy of the County not to transport passengers or other individuals who do not work for the County. However, there are exceptions for certain programs and circumstances, such as ride-along programs and client transport, where individuals other than County employees may be passengers in a County or personal vehicle. The use of County vehicles for transporting family members is strictly prohibited. Drivers on County business shall inform passengers that the County will not be responsible for injuries unless their presence in the vehicle is directly related to a County provided service. All passengers must follow these rules and all reasonable directions of their Drivers.
- b. The following individuals are authorized to ride in County or personal vehicles used for County business without additional conditions:
 - i. County employees and/or volunteers conducting County business;
 - ii. Officers and agents representing the County;
 - iii. Vendors and contractors working under a services contract with the County and covered by an employer's Workers' Compensation insurance; and
 - iv. Minors transported by specific departments under outlined circumstances:
 - a. Sheriff's Office, Community Justice Department (Juvenile Division), or District Attorney (Investigator)
 - b. Health Services Department in emergency or confidential treatment scenarios.
- c. Certain passengers are permitted with conditions and must sign a Passenger Liability Waiver Form (available on the Risk Management Inside DC page).
 - i. Customers or participants in official County business, training, tours, or programs;
 - ii. If the passenger is a minor (under 18 years of age), the minor must have his/her parent or legal guardian sign the form;
 - iii. If an infant or child is an authorized passenger in accordance with this policy, the infant's or child's parent and/or legal guardian is responsible for installing and using a car seat or booster seat correctly;
 - iv. Representatives of other governmental agencies collaborating with the

- County, or carpooling to shared meetings; and
- v. Family members transported under outlined circumstances:
 - a. In the personal vehicle of the County representative when traveling to seminars, conferences, or other training activities that occur outside of Deschutes County.
 - b. Under emergency situations when alternative transportation options are unavailable.
- d. Pets of Drivers or passengers are generally not allowed unless they are:
 - i. An assistance animal as defined under Oregon Law;
 - ii. Law Enforcement K-9 units;
 - iii. Part of Animal Control's business; and
 - iv. Non-assistance animals may be allowed under department discretion and must be in an appropriate carrier.
- e. If a Driver of a County or personal vehicle on County business encounters a stranded motorist, the Driver should always consider their personal safety prior to stopping. Hitchhikers are not permitted in County vehicles. There is no obligation to stop and render assistance. The only pre-authorized action is to help connect the stranded motorist with appropriate roadside assistance.

9. Safety and Security

Safe driving practices can result in fewer collisions. Drivers should be well prepared for operating a vehicle before using roadways. Safe driving requires concentration on driving, avoiding distractions, and practicing defensive driving techniques. Drivers are expected to obey all traffic laws and regulations to reduce the risk of accidents, in spite of unsafe driving by others and/or adverse conditions. Specific safety and security measures applicable to County Drivers are as follows:

- a. Drivers of County vehicles, equipment, or other vehicles used on County business shall obey all traffic laws, equipment, registration and licensing requirements applicable to the vehicle. Heavy equipment operators shall comply with applicable regulations governing the use of such equipment.
- b. Drivers and passengers of vehicles equipped with safety belts are required to wear safety belts. Drivers of off-road equipment are required to use lap belts and/or shoulder straps as supplied by the manufacturer. It is the responsibility of the Driver to see that all passengers are in compliance. Airbags shall be operable and under no circumstances should a manual override switch be used to turn off airbags.
- c. Except for those who are required to use cellular phones and two-way radios as part of their regular job duties (e.g., road crews, crisis workers, and law enforcement), Drivers shall not make or receive calls while driving on County business. If the need arises to make or receive a cell phone call while driving, the Driver shall stop the vehicle and place the vehicle in park in a designated parking area before using the phone. If roadside parking is permissible and conditions allow for safe parking, Drivers may pull to the side of the road to make or receive a call. Road crews must use a hands-free device unless they are operating a commercial vehicle during an emergency related response. In which case, they may use a non-hands-free device.
- d. A Driver using personal or vehicle-installed navigation equipment while driving on County business shall be in compliance with the State of Oregon's Distracted Driving Law, ORS 811.507.
- e. All County vehicles shall be equipped with general safety equipment, which includes road flares or traffic signaling devices, fire extinguisher, first aid, and accident reporting kits.
- f. Operation of a motor vehicle on County business, whether personal or County owned, while

consuming or under the influence of alcohol or controlled substances, is prohibited and will be grounds for immediate termination.

- g. No Driver shall operate a vehicle on County business while using medications that may impair their ability to operate a motor vehicle. If labels on medications warn against operating a motor vehicle or machinery, use of vehicles on County business is prohibited. Vehicles shall not be operated when the Driver's ability to react is impaired for any reason, including illness.
- h. When unoccupied, a vehicle shall be secured by whatever means possible, depending on the vehicle or equipment type. If the vehicle has locking doors, they must be locked when the vehicle is unattended. Emergency and law enforcement vehicles are exempted, providing the department has alternative security measures in place, which do not hamper operational requirements. Equipment and vehicles that cannot be secured by means of a locking door must be secured or rendered inoperable by some other means.
- i. Valuables, such as radios, cameras, cell phones, and other County equipment sensitive to theft shall be removed from the County vehicle at the end of each work shift. The County is not responsible for the loss of any personal property.
- j. County representatives may not transport hazardous materials (except as may be required or permitted as part of the job assignment by the County) or illegal materials in any vehicle used for County business.
- k. When adverse weather makes driving conditions hazardous, if possible, Drivers should communicate with supervisors to reassign or reschedule job duties until such conditions have abated. This does not apply to the Sheriff's Office, emergency personnel, or to Road Department employees who are specifically assigned to clear roads and rights of way of hazards created by adverse weather conditions.
- l. No authorized Driver shall relinquish to a non-authorized individual the operation of a County vehicle unless an emergency exists.
- m. Drivers who drive on County business are required to have read and acknowledge that they understand Deschutes County's driving policy.

10. Accident Reporting

Any physical damage to County vehicles or any injury must be reported to Risk Management within 24 hours using the Department's Report of Property Damage and/or the Incident/Accident Report form available on Risk Management's inside DC intranet site.

Any person who is covered by the Applicability section of this policy and is involved in a collision while driving on County business, whether the accident involves a personal or County vehicle, may be responsible for reporting the accident to the DMV, if the collision meets reporting criteria.

- a. An Oregon Traffic Accident and Insurance Report form must be submitted to the Oregon Department of Motor Vehicle Services within 72 hours of the accident, or as soon as possible, if the accident meets reporting criteria. The Driver shall provide copies of the DMV accident report to Risk Management and their supervising department. The Driver may consult with Risk Management to determine current reporting requirements. As of this policy revision date, the following is applicable:
 - i. Damage to your vehicle is over \$2,500;
 - ii. Injury (no matter how minor) or death;
 - iii. Damage to any one person's property over \$2,500; or
 - iv. Any vehicle has damage over \$2,500 and any vehicle is towed from the scene as a result of damages.
- b. Failure to report a collision is a Class B violation and may result in the suspension of driving privileges by the DMV, as well as a change in driving status. All reportable accidents, as defined

in this section, must also be reported by the Driver to the supervisor and the Risk Management Department.

11. Uninsured Motorist Coverage

Deschutes County maintains a self-insurance fund for uninsured motorist coverage. Uninsured motorist coverage is provided at the minimum levels required by Oregon law. Personal Injury Protection (P.I.P.) benefits are not provided.

- a. The maximum uninsured motorist coverage Deschutes County will provide for damages resulting from any one accident (the "Uninsured Motorist Coverage Limits") is:
 1. \$25,000 for bodily injury (including death) to one person;
 2. \$50,000 total for bodily injury (including death) to two or more persons; and
 3. \$20,000 for property damage.
- b. These Uninsured Motorist Coverage Limits constitute the maximum amounts Deschutes County will pay for one accident, regardless of the number of covered persons, claims made, and/or vehicles covered.
- c. This Uninsured Motorist Coverage is secondary to coverage provided by the Driver's personal vehicle insurance, if applicable, and any other available insurance coverage(s).
- d. It is the intent of the County's uninsured motorist coverage set forth above to provide the minimum amount of coverage required under Oregon law and not otherwise. This written policy shall constitute proof of compliance with the Financial Responsibility requirement of the State of Oregon.

12. Vehicle Maintenance

Drivers must follow the County's light fleet policy (No. GA-22) for County vehicle maintenance. Only authorized Sheriffs and Road shop personnel shall service, repair, or assign outside repairs to County vehicles.

Approved by the Deschutes County Board of Commissioners on January 30, 2019, and updated on

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Nick Lelack, County Administrator